

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND
~~MAR 20 PM 5:15~~

GRACIE AKINROLABU

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CLERK'S OFFICE
AT BALTIMORE

v.

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BY DEPUTY
Civil No. - JFM-16-3500

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RUSSET KINDERCARE, ET AL.

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MEMORANDUM

Plaintiff has filed a motion to remand this case to the Circuit Court for Anne Arundel County, Maryland. The motion will be granted.

Plaintiff claims damages only in the amount of \$74,999.00 in her complaint. Defendant contends that nevertheless the action should not be remanded because plaintiff has made settlement demands in excess of \$75,000.00 and because the wrong alleged – personal injuries suffered as an alleged result of an allergic food reaction at defendants' childcare center – inherently have a value of more than \$75,000.

Defendants' concerns are not frivolous. However, they can be handled by appropriate management of the case in the Circuit Court for Anne Arundel County, *i.e.*, the court there can refuse to permit plaintiff to seek \$74,999.00 or more in damages based upon the history of this litigation that is now being established.

A separate order effecting the ruling made in this memorandum is being entered
herewith.

Date: *March 21, 2017*


J. Frederick Motz
United States District Judge